

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 5/21/02

Signature:

(Brent LaBarge)

Docket No.: BURF-P02-006  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Fallon et al.

Application No.: 10/081736

Filed: February 20, 2002

For: BIGLYCAN AND RELATED  
THERAPEUTICS AND METHODS OF USE



COPY OF PAPERS  
CHIEFLY FILED

Group Art Unit: 1614

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed May 1, 2002, Applicant respectfully submits a Combined Declaration and Power of Attorney, and a copy of the documents associated with the electronic filing of the sequence listing.

Please charge our Deposit Account No. 18-1945 in the amount of \$828.00 covering the fee set forth in 37 CFR 1.16(e). The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BURF-P02-006. A duplicate copy of this paper is enclosed.

Dated: May 21, 2002

Respectfully submitted,

By

Matthew P. Vincent

Registration No.: 36,709

ROPES & GRAY

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

en

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **828.00****Complete if Known**

Application Number	10/081736
Filing Date	February 20, 2002
First Named Inventor	Justin R. Fallon
Examiner Name	Not Yet Assigned
Group Art Unit	1614
Attorney Docket No.	BURF-P02-006

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit AccountDeposit Account Number **18-1945**Deposit Account Name **Ropes & Gray**

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>370.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
31	-20** = 11	x 9.00 =	99.00
Independent Claims	10	-3** = 7	x 42.00 = 294.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>393.00</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
<b>SUBTOTAL (3)</b>					<b>65.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **65.00**COPY OF PAPERS  
ORIGINAL FILED**SUBMITTED BY**Name (Print/Type) **Matthew P. Vincent**

Signature

Registration No.  
(Attorney/Agent)**36,709****Complete (if applicable)**Telephone **(617) 951-7739**Date **May 21, 2002**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: **May 21, 2002**Signature: 

(Brent LaBarge)

# 3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,736	02/20/2002	Justin R. Fallon	BURF-P02-006

28120  
ROPES & GRAY  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624



CONFIRMATION NO. 2816

## FORMALITIES LETTER



\*OC000000007991855\*

Date Mailed: 05/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/06/2002 JBALINAN 00000081 10081736

01 FC:201	370.00 CH
02 FC:202	294.00 CH
03 FC:203	99.00 CH
04 FC:205	65.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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COMPLIANTLY FILED

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Softwar , call (703) 306-2600
- For PatentIn Softwar Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspt .g v

Items Required To Avoid Processing Delays:

06/06/2002 JBALINAN 00000081 10081736

01 FC:201	370.00 CH
02 FC:202	294.00 CH
03 FC:203	99.00 CH
04 FC:205	65.00 CH

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$393** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$828** for a Small Entity

- **\$370** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$393**
  - **\$99** for **11** total claims over 20.
  - **\$294** for **7** independent claims over 3.

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# TRANSMITTAL FORM

Electronic Version 1.0.3

Stylesheet Version: 1.0

Submission Type: BIO  
Sequence Filing



Application Number: 10/081,736

Attorney Docket Number: BURF-P02-006

## Biglycan And Related Therapeutics And Methods Of Use

First Named Inventor: Justin Fallon

### SUBMITTED BY

Name: Matthew P. Vincent

Registration Number: 36,709

Electronic Signature Mark: MPV Date Signed: 20020520

COPY OF PAPERS  
ORIGINALLY FILED

*I certify that the use of this system is for OFFICIAL correspondence between patent applicants or their representatives and the USPTO. Fraudulent or other use besides the filing of official correspondence by authorized parties is strictly prohibited, and subject to a fine and/or imprisonment under applicable law.*

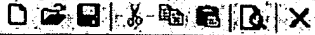
*I, the undersigned, certify that I have viewed a display of document(s) being electronically submitted to the United States Patent and Trademark Office, using either the USPTO provided style sheet or software, and that this is the document(s) I intend for initiation or further prosecution of a patent application noted in the submission. This document(s) will become part of the official electronic record at the USPTO.*

### Attached Files:

sequence-listing BURF-P02-006SequenceListing.txt

biotechnology-listing-filing BURF-P02-006SequenceListingbio.xml

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office on the following date. 2002-05-20



## Biotechnology Sequence Listing Data

**AMINO ACID AND NUCLEOTIDE SEQUENCE LISTING FOR A PATENT**

**This is a request for filing the electronic copy of a sequence listing for a patent application under 37 C.F.R. 1.821-1.825.**

This communication has an attached file which is the electronic copy of the amino acid and/or nucleotide sequence listing for the previously mentioned United States Patent Application.

The electronic copy submitted herewith is the Computer Readable Form (CRF), as required by 1.821(a).

Any applicable fees associated with the filing of the electronic copy have been paid.

This submission does not go beyond the disclosure of the application as originally filed (i.e., contains no new matter). It may be in addition to an original CRF filed to comply with the sequence rules.

This submission in electronic form comprises only the CRF of 37 C.F.R. 1.821(e). Applicant is responsible for all additional requirements of amino acid and/or nucleotide sequence listing submissions as specified in 37 C.F.R. 1.821-1.825.

This submission does not go beyond the disclosure of the application as originally filed (i.e., contains no new matter), and/or is in addition to an original CRF filed to comply with the sequence rules. If not made to comply with an originally filed CRF, it is identical to the sequences disclosed in the application as originally filed and/or the paper copy of the Sequence Listing as originally filed.

**Attachment Description**

CRF Biosequence

Compression Software  
Used: /Any

Name: Matthew P. Vincent

Electronic Signature Mark: MPV

Comments: